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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,763	01/18/2002	Vajid Husain Jafri	EXCAM-59294	4203

7590

10/04/2005

ELLSWORTH R. ROSTON, ESQ.
FULWIDER PATTON LEE & UTECHT, LLP
HOWARD HUGHES CENTER
6060 CENTER DRIVE, TENTH FLOOR
LOS ANGELES, CA 90045

EXAMINER

SALIARD, SHANNON S

ART UNIT

PAPER NUMBER

3639

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

KE

Office Action Summary

Application No.

10/052,763

Applicant(s)

JAFRI ET AL.

Examiner

Shannon S. Saliard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The specification is objected to because the applicant makes reference to a Continuation-in-part number in the first line of the specification, but the application number of the CIP has been omitted. Additionally, the Declaration fails to include the co-pending application number to receive benefit under U.S.C. 120.
2. **Claim 23** is objected to because of the following informalities: Claim 23 appears to recite the same limitations as claim 22. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 16, 32-34, 36-38, 41, and 42** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16 recites the limitation "special prices" in line 2. There is insufficient antecedent basis for this limitation in the claim.

As per **claim 32**, the limitation "the sources are rooms in hotel chains" is vague and indefinite. It is unclear to the Office what the applicant is attempting to set forth.

Claims 32-34 and 36-38 recite the limitation "the sources" in line 2. There is insufficient antecedent basis for this limitation in the claim.

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Claim 41 recites the limitation "the times" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 41 recites the limitation "the particular date" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 42 recites the limitation "the date of the trip" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 42 recites the limitation "the non-legacy sources" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 42 recites the limitation "the transportation" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 42 recites the limitation "the date of the event" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. **Claims 1-7, 9, 10, 14-19, 21, 24, 25, 29-33, 35-37, 39, and 41** are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al [U.S. Publication No. US 2002/0152100].

As per **claims 1 and 14**, Chen et al discloses a method of providing at a processing station an indication of a minimal price for an event, including the steps of: providing prices for the event at the processing station from a plurality of sources including a global distribution system and non-global distribution sources, providing a display screen, and providing the prices from the global distribution system and the non-global distribution sources through the internet to the display screen for the display of the prices on the display screen (0032; 0043).

As per **claims 2, 15, 21, and 30**, Chen et al further discloses wherein the prices from the global distribution system and the non-global distribution sources pass through an internet router after passing through the internet and before being introduced to the display screen (0028).

As per **claims 3 and 16**, Chen et al further discloses wherein the event is an airline flight on a specified day from a first specified locality to a second specified locality (0059).

As per **claims 4 and 17**, Chen et al further discloses wherein the sources include airlines within the global distribution system and airlines not within the global distribution system (0054).

As per **claim 5**, Chen et al further discloses wherein the prices from the global distribution system and the non-global distribution sources pass through an internet

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router after passing through the internet and before being introduced to the display screen (0028) and wherein the sources include airlines within the global distribution system and airlines not within the global distribution system (0054).

As per **claims 6 and 18**, Chen et al further discloses wherein the prices are prices of hotel chains (0039).

As per **claims 7 and 19**, Chen et al further discloses wherein the prices are prices of car rental companies (0039).

As per **claims 9, 10, 24, and 25**, Chen et al further discloses wherein a printer at the processing station prints a ticket selected from the global distribution system and non-global distribution sources for the event (0032).

As per **claim 29**, Chen et al discloses a method of providing at a processing station an indication of a minimal price for an event, including the steps of: providing requests from the processing station through the internet to the legacy servers and the non-legacy servers of prices for the event, providing prices and specifics of the event from the legacy servers and non-legacy servers through the internet to the processing stations, and displaying on a display screen at the processing station the prices and the specifics from the legacy servers and non-legacy servers for the event (0036; 0037).

As per **claims 31, 35, 39, and 41**, Chen et al further discloses wherein the request from the processing station specified the event and the day of the event (0059) and wherein the specifics from the legacy servers and the non-legacy servers identify the event and specify the time of the event during the specified date and specify the

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price for the event and wherein the display shows the specifics set forth by the legacy servers and the non-legacy servers to the display (0065; 0066).

As per **claims 32 and 36**, Chen et al further discloses wherein the event is an occupancy of a room in a hotel on a particular date and the sources are rooms in hotel chains (0052; 0059).

As per **claims 33 and 37**, Chen et al further discloses wherein the event is a rental of a car on a particular date and the sources are car rental agencies (0052; 0059).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 8, 11-13, 20, 22, 23, 26-28, 34, 38, 40, and 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al [U.S. Publication No. US 2002/0152100] in view of Acebo et al [U.S. Patent No. 6,023,679].

As per **claims 8, 20, 34, and 38**, Chen et al discloses all the limitations of claims 1, 2, 14, 16-18, and 35. Chen et al does not disclose wherein the prices are prices of cruise line companies. However, Acebo et al discloses a reservation method that accesses the databases of cruise line companies to determine price (col 6, lines 34-4; col 10, lines 55-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Chen et al to include the features disclosed by Acebo et al since any reservation system that is capable of arranging flight reservations is also capable of making reservations for any type of travel related services.

As per **claims 11, 12, and 26-28**, Chen et al discloses all the limitations of claims 1, 2, 6, 10, 14, 16-18, and 25. Chen et al does not disclose wherein an accounting application at the processing station provides an accounting of the ticket printed at the

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processing station and selected from the global distribution system and the non-global distribution sources for the event. However, Acebo et al discloses a reservation method in which records are automatically generated associated with each reservation transaction (col 9, lines 17-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Chen et al to include the features disclosed by Acebo et al. Acebo et al provides the motivation that the records are utilized to automatically keep track of customer profile changes, instead of manually adjusting the customer profile in a locally stored file without updating the records in the GDS system (col 2, lines 11-29)

As per **claims 22 and 23**, Chen et al further discloses wherein the prices from the legacy distribution system and the non-legacy distribution sources for the event pass through an internet router after passing through the internet and before passing to the display screen (0028).

As per **claims 13, 40, and 42**, Chen et al further discloses wherein the event is an airplane trip and wherein the specifics requested by the processing station concerning the event include the date of the trip and the originating position and the destination (0059) and wherein the information provided by the non-legacy sources includes the airline providing the transportation, and the date of the event (0065; 0066), Chen et al does not disclose that the information provided from the reservation system includes the originating position, the destination, the time of departure from the starting position, the time of arrival at the destination and the price for the event. However, Acebo et al discloses a reservation method in which the reservation system provides

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originating and destination cities, departure and arrival times, and price information (col 9, lines 34-44, See Figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to method of Chen et al to include the features disclosed by Acebo et al so that a customer is provided with a copy of all the essential information for the customer to be able to complete the travel plan as booked in the GDS or non-GDS system.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

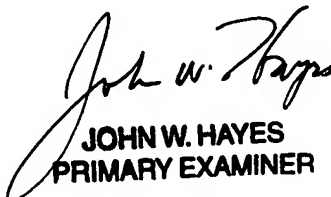
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shannon S Saliard
Examiner
Art Unit 3639

SSS


JOHN W. HAYES
PRIMARY EXAMINER